

Remarks/Arguments

On page 2 of the Office Action, the Examiner objected to claim 1 because of an informality. Applicant has amended claim 1 and believes it is in good form.

On page 2 of the Office Action the Examiner rejected claims 1-11 and 13-15 under 35 U.S.C. 112 as being indefinite. Applicant has amended claim 1 as shown and believes all claims are now in good form.

On page 3 of the Office Action, the Examiner rejected Claims 1-11, 13-15 and 21 under 35 U.S.C. 103(a) as being unpatentable over Souliac et al. (U.S. 6,399,237) in view of Applicant's Admitted Prior Art.

Souliac et al. discloses a cylindrical high-capacity sealed storage cell having a terminal at one end which is made of aluminum, wherein: the one end includes an aluminum cover adapted to be brought into contact with an external electrical connecting part by a clamping structure which is at least in part under the cover and co-operates with an external assembly mechanism, the clamping structure being made from a material selected from the group consisting of stainless steel, nickel-plated steel, copper, and brass; and the cover of the cell is sealed by a metal sealing cap under the cover.

On page 8 of the Office Action the Examiner rejected Claims 16-20 under 35 U.S.C. 103(a) as being unpatentable over Souliac et al. (U.S. 6,399,237) in view of Applicant's Admitted Prior Art and further in view of Sugalski (U.S. 4,322,484).

Sugalski discloses a high current capacity electrochemical cell of the spiral wound type is provided. The cell includes a hermetically sealed casing and a terminal connection which engages exposed edges of an internally positioned spirally wound electrode plate for the transfer of current from the plate to a plurality of regions on the terminal. A thermally conductive ring is provided at the terminal connection to dissipate heat generated at the regions of current transfer.

In view of the claims as now presented and for the reasons set forth below, Applicant believes these claims are patentable over the cited references.

Before addressing the rejection, Applicant respectfully points out that one primary feature of the invention covered by claim 1 is not that the metallic supporting strip is welded to the pin, but that a separate contact element, such as a conductor lug, lamellas and the like, are eliminated altogether. Neither is there the need for an additional supporting element for the electrode element nor is it necessary to use separate elements to connect the electrode element with a contact connection. Applicant directs the Examiner's attention to Applicant's only independent claim, claim 1, which recites a pin that is simultaneously a supporting element for the wound electrode element and is held robustly or directly engages a wall of the battery's housing, and serves as an electrical contact element.

Claim 1 has been amended in order to further focus on features of the pin, which Applicant submits is substantially different from the "connecting part 29" of U.S. 6,399,237 (Souliac). Therefore, the battery as defined by amended claim 1 differs from the battery of Souliac in the following aspects:

- a. The capacity is 1 Ah or less.
- b. Inside the housing a pin to contact the electrode element is arranged.
- c. The electrode element is wound around the pin.
- d. The supporting strip of the electrode element is welded directly to the pin.

The features b-d contribute to a compact buildup of the small capacity battery, and the Examiner seems to overlook these features.

In view of the claims as now presented and for the reasons discussed herein, Applicant believes the independent claim 1 is not unpatentable over the cited references.

Applicant has amended claim 21 to be in dependent form. Claims 2-20 are also dependent claims and for the reasons discussed earlier relative to the rejection of claim

1, it is respectfully submitted that these claims are also in condition for allowance and such allowance is respectfully requested.

FOR ALL THE FOREGOING REASONS, APPLICANT BELIEVES THIS CASE IS NOW IN CONDITION FOR ALLOWANCE. IF THE EXAMINER FEELS THAT THIS AMENDMENT DOES NOT PLACE THE CASE IN CONDITION FOR ALLOWANCE, THEN APPLICANT RESPECTFULLY REQUEST AN INTERVIEW WITH THE EXAMINER.

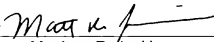
The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-1287. Applicants hereby provide a general request for any extension of time which may be required at any time during the prosecution of the application. The Commissioner is also authorized to charge any fees which have not been previously paid for by check and which are required during the prosecution of this application to Deposit Account No. 50-1287. (Should Deposit Account No. 50-1287 be deficient, please charge any further deficiencies to Deposit Account No. 10-0220).

Applicant invites the Examiner to contact the undersigned via telephone with any questions or comments regarding this case.

Reconsideration and favorable action are respectfully requested.

Respectfully submitted,

JACOX, MECKSTROTH & JENKINS

By 
Matthew R. Jenkins
Reg. No. 34,844

2310 Far Hills Building
Dayton, Ohio 45419-1575
Telephone: (937) 298-2811
September 20, 2006
/tlf